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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1024/97.

Dt. of Decision : 02-03-2000

M.Ramakrishna Rao

.. Applicant.

Vs

1. The Chairman, Telecom Commission,
(STG.II Section), New Delhi-110 001.

2. The Chief General Manager,
Telecom T & D Circle,
Sanbhar Vikas Bhavan,
Residency Road, Jabalpur.

3. The Director, Telecom, T&D
5th Floor, Samrat Complex,
Saifabad, Hyderabad-4.

.. Respondents.

Counsel for the applicant : Mr.K.Lakshmi Narasimha

Counsel for the respondents : Mr.V.Rajeswara Rao, Addl.CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

Heard Mr.P.Lakshmana Rao for Mr.K.Lakshmi Narasimha, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

2. The applicant in this OA was promoted ~~as~~ ^{above} TES Group-B service and his seniority was also fixed ~~on the basis of~~ those who passed the departmental examination for promotion to

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..2/-

TES Group-B service later than him. The applicant now submits that he should be given promotion to the Divisional Engineer post in TES Group-B service on par with his juniors in the TES Group-B service.

3. The applicant states in his representation dated -Nil- (Annexure-I to the OA) states that in OA.160/92 this Bench has given some direction and accordingly his seniority in TES Group-B service was fixed notionally w.e.f., 18-04-79. As per the above representation he also submitted that his juniors have been promoted as Divisional Engineer vide letter dated 9-8-95. He therefore, requested for promoting him as Divisional Engineer, Telecom w.e.f., 9-8-95. It is stated that no reply is given to his representation.

4. This OA is filed for a declaration that the applicant is entitled to be promoted as Divisional Engineer, based on his retrospective promotion as Assistant Engineer on 18-04-79 issued vide order No.15-34/92-STG II dated 26-11-96 in preference to persons who have been promoted as Assistant Engineers after 18-04-79.

5. The applicant submits that this case is covered by the judgement in OA.771/97 disposed of on 30-09-99 and that OA was disposed of following the judgement in OA.770/97.

6. The learned counsel for the respondents have filed a reply stating that the applicant was promoted subsequently and none of his juniors had been promoted as Divisional Engineer. Further they submit that a case is pending before the Hon'ble Supreme Court. Hence, the applicant has to wait.

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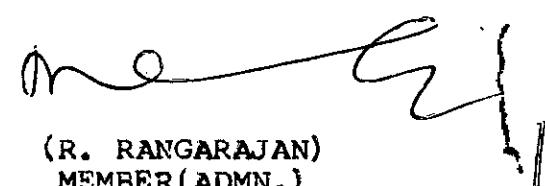
7. The case is very clear. In earlier similar cases we have given directions for promotion on par with their juniors who were promoted later than the national date of promotion. We do not think that any deviation from that judgement is called for in this OA. Hence, the respondents are directed to follow the directions given in OA.770/97 and 771/97 in the case of the applicant herein also.

8. With the above direction the OA is disposed of.
No costs.


(B.S.JAI PARAMESHWAR)

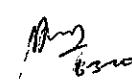
MEMBER(JUDL.)

43198


(R. RANGARAJAN)

MEMBER(ADMN.)

Dated: The 2nd March 2000.
(Dictated in the Open Court)


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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH,
HYDERABAD.

1ST AND 2ND COURT

COPY TO

1. HDHND
2. HRRN (ADMN) MEMBER
3. HBSJP. M. (JUDL)
4. D.R. (ADMN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE D. H. NASIR
VICE-CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN)

THE HON'BLE MR. B. S. JAHI PARAMESWARI
MEMBER (ADMN)

DATE OF ORDER

26/03/08

MA/RA/C/C NO

IN

G.A. NO.

1024/97

ADMITTED AND ISSUED INTERIM DIRECTIONS

C.P. CLOSED

R.A. CLOSED

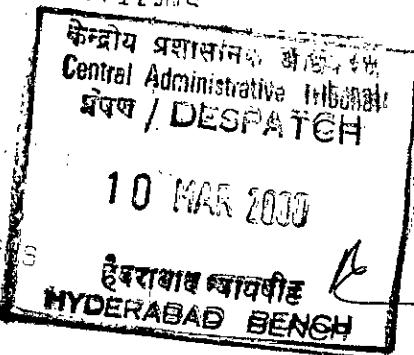
DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO. ORDER AS T.3 CASTS



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